

"Subject to the approval of the appropriate State educational agency."

The amendment was read and was adopted by the following vote: (31-0)

On motion of Senator Herring and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was again passed by the following vote: (31-0)

Adjournment

On motion of Senator Aikin the Senate at 11:40 o'clock a.m. adjourned until 11:50 o'clock a.m. today.

SEVENTY-EIGHTH DAY

(Saturday, May 29, 1971)

The Senate met at 11:50 o'clock a.m., and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Reverend W. H. Townsend, Chaplain, offered the invocation.

Morning Call Dispensed With

On motion of Senator Aikin and by unanimous consent, Morning Call was dispensed with.

Senate Bill 419 on Second Reading

Senator Beckworth asked unanimous consent to suspend the regular order of business and take up S. B. No. 419 for consideration at this time.

There was objection.

Senator Beckworth then moved to suspend the regular order of business and take up S. B. No. 419 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Bridges	Patman
Brooks	Schwartz
Christie	Sherman
Connally	Snelson
Grover	Wallace
Hall	Watson
Harrington	Wilson
Hightower	Word

Nays—7

Blanchard	Mauzy
Creighton	Moore
Harris	Ratliff
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 419, A bill to be entitled "An Act relating to the creation of Tyler State College; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Votes

Senators Moore, Herring, Mauzy, Harris, Creighton and Grover asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 419 on Third Reading

Senator Beckworth moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 419 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Bernal	Grover
Bridges	Hall

Harrington	Schwartz
Hightower	Sherman
Jordan	Snelson
Kennard	Wallace
Kothmann	Watson
McKool	Wilson
Patman	Word

Nays—6

Blanchard	Herring
Creighton	Mauzy
Harris	Moore

Absent

Ratliff

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Moore, Herring, Creighton, Mauzy, Harris, Ratliff, Grover, Jordan and Wallace asked to be recorded as voting "Nay" on the final passage of the bill.

Committee Substitute
Senate Bill 570 on Second Reading

Senator Patman asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 570 for consideration at this time.

There was objection.

Senator Patman then moved to suspend the regular order of business and take up C. S. S. B. No. 570 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Kennard
Bates	Kothmann
Beckworth	McKool
Bernal	Patman
Bridges	Schwartz
Brooks	Sherman
Christie	Snelson
Connally	Wallace
Hall	Watson
Harrington	Wilson
Hightower	Word
Jordan	

Nays—8

Blanchard	Grover
Creighton	Harris

Herring	Moore
Mauzy	Ratliff

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 570, A bill to be entitled "An Act relating to the establishment of an off-campus branch of a public senior college as an upper-level educational center to be located in the City of Victoria, to be known as the Victoria State University; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Votes

Senators Herring, Creighton, Harris, Ratliff and Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Committee Substitute
Senate Bill 570 on Third Reading

Senator Patman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 570 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Patman
Bridges	Schwartz
Brooks	Sherman
Christie	Snelson
Connally	Wallace
Hall	Watson
Harrington	Wilson
Hightower	Word

Nays—6

Creighton	Herring
Grover	Mauzy
Harris	Moore

Absent

Ratliff

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Mauzy, Herring, Blanchard, Moore, Ratliff, Creighton, Grover and Harris asked to be recorded as voting "Nay" on the final passage of the bill.

Senate Resolution 1449

Senator Hightower offered the following resolution:

WHEREAS, The Senate of the State of Texas is honored today by the presence of Mr. Downey Grover, son of Senator and Mrs. Hank Grover of Houston; and

WHEREAS, Downey is a concerned young man, interested in the affairs of State government; and

WHEREAS, Downey is in the Capital City to observe the Texas Legislature in Regular Session; now, therefore, be it

RESOLVED, That the Senate of the State of Texas extend to him, distinguished Texas Citizen, its warmest welcome; and that Downey be made an Honorary Page of the Texas Senate for the day of May 29, 1971; and, be it further

RESOLVED, That a copy of this Resolution, bearing the seal of the Senate, be prepared for Downey as a memento of his visit.

The resolution was read and was adopted.

By unanimous consent, Senator Hightower presented Downey Grover to the Members of the Senate.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 29, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1890, A bill to be entitled "An Act amending the Water Code to conform to legislation enacted during the Regular Session of the 62nd Legislature; repealing the statutes replaced by this Act; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 1703 on Second Reading

Senator Schwartz asked unanimous consent to suspend the regular order of business and take up H. B. No. 1703 for consideration at this time.

There was objection.

Senator Schwartz then moved to suspend the regular order of business and take up H. B. No. 1703 for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1703, A bill to be entitled "An Act exempting certain judicial retirement payments and rights from state, county, and municipal tax, levy, sale, garnishment, attachment, or other process; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1703 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1703 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Nays—1

Mauzy

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Conference Committee Report on House Bill 333

Senator Christie submitted the following Conference Committee Report:

Austin, Texas
May 28, 1971

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 333, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

CHRISTIE
MAUZY
BROOKS
McKOOL
HARRINGTON

On the part of the Senate.

HALE
SPURLOCK
SALEM
McALISTER
TUPPER

On the part of the House.

The Conference Committee Report was read and was adopted.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 1890, To Committee on Water and Conservation.

House Joint Resolution 13 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 13, Proposing an amendment to Article I, Section 11, of the Texas Constitution, to provide that certain persons in custody for the commission of an offense may be denied bail.

The resolution was read second time.

Senator Brooks offered the following Committee Amendment to the resolution:

Amend H. J. R. No. 13 by striking the figure "12" where it appears in subsection (a)(2) in the quoted Section 11 of Section 1 and substituting in lieu thereof the figure "24."

The Committee Amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was passed to third reading.

House Joint Resolution 13 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 13 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—31

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Bernal	Creighton
Blanchard	Grover
Bridges	Hall

Harrington	Patman
Harris	Ratliff
Herring	Schwartz
Hightower	Sherman
Jordan	Snelson
Kennard	Wallace
Kothmann	Watson
Mauzy	Wilson
McKool	Word
Moore	

House Bill 853 Re-Referred

On motion of Senator Aikin and by unanimous consent, H. B. No. 853 was withdrawn from the Committee on Finance and re-referred to the Committee on Administration.

Reports of Standing Committee

By unanimous consent, Senator Hightower submitted the following report for the Committee on Administration:

H. B. No. 853 (Floor report).

By unanimous consent, Senator Creighton submitted the following report for the Committee on Water and Conservation:

H. B. No. 1890 (Floor report).

House Bill 853 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent, H. B. No. 853 was ordered not Printed.

House Bill 853 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 853, A bill to be entitled "An Act amending Statutes; providing for the establishment of a Food Stamp Program; providing for assessments for the handling of the Food Stamp Program and placing a limitation on the amount of assessments; providing for an increase in assessments for the handling of the commodities and placing a limitation on the amount of the assessments; fixing an effective date; providing a repealing clause, a savings clause; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 853 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 853 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 1890 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent, H. B. No. 1890 was ordered not printed.

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 130.

Recess

On motion of Senator Aikin the Senate at 12:35 o'clock p.m. took recess until 2:15 o'clock p.m. today.

After Recess

The Presiding Officer (Senator Aikin in Chair) called the Senate to order at 2:15 o'clock p.m. today.

Senate Bill 459 on Second Reading

Senator McKool asked unanimous consent to suspend the regular order of business and take up S. B. No. 459 for consideration at this time.

There was objection.

Senator McKool then moved to suspend the regular order of business and take up S. B. No. 459 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Brooks	McKool
Christie	Patman
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Wilson

Nays—6

Creighton	Ratliff
Herring	Watson
Moore	Word

Absent**Bridges**

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 459, A bill to be entitled "An Act relating to election contests; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Motion to Place**Senate Bill 459 on Third Reading**

Senator McKool moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that S. B. No. 459 be placed on its third reading and final passage.

The motion was lost by the following vote: (Not receiving four-fifths vote of the Members present).

Yeas—23

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Patman
Brooks	Schwartz
Christie	Sherman
Connally	Snelson
Hall	Wallace
Harrington	Wilson
Hightower	

Nays—8

Creighton	Moore
Grover	Ratliff
Harris	Watson
Herring	Word

House Bill 930 on Second Reading

On motion of Senator Bernal and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 930, A bill to be entitled "An Act relating to competitive bidding on certain contracts involving political subdivisions; declaring certain laws unaffected by this Act; and declaring an emergency."

The bill was read second time.

Senator Bernal offered the following Committee Amendment to the bill:

Amend Section 2 of House Bill 930 by striking therefrom Subsection (d) and substituting in lieu thereof the following:

"(d) If the contract is for the construction of public works, then the successful bidder shall give good and sufficient performance and payment bonds, executed by a surety company authorized to do business in this State in accordance with the provisions of Article 5160, Revised Civil Statutes of the State of Texas, 1925, as amended."

The Committee Amendment was read and was adopted.

On motion of Senator Bernal and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Sherman asked to be recorded as voting "Nay" on the passage of the bill to third reading.

House Bill 930 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 930 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson

Nays—5

Blanchard	Ratliff
Creighton	Word
Moore	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Sherman asked to be recorded as voting "Nay" on the final passage of the bill.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 29, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 128, Paying tribute to Joe Ruiz Grandee.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 1452

Senator Herring offered the following resolution:

WHEREAS, During this, its 62nd Regular Session, the Texas Senate is particularly indebted to a group of gracious ladies without whose patience and attention to detail this body could not properly function; and

WHEREAS, There are times, as in these closing days, when the pressure to complete the legislative program becomes intense and the work load of these Senate employees increases daily; but it is now that the careful and expert performance of their duties is most appreciated; and

WHEREAS, It is especially fitting that the Senate express its gratitude to Arlene Morse and Polly Miller of the Calendar Desk, Minnie Meier and Betty King of the Journal Desk, and to Florence Cotten and Katy Gibbs, Assistant Secretaries of the Senate; now, therefore, be it

RESOLVED, That by this Resolution the Senate of the 62nd Texas Legislature officially take notice of the excellent quality of work and the devotion to duty of these ladies; and be it further

RESOLVED, That the Secretary of the Senate be directed to prepare copies of this Resolution for them with the gratitude and best wishes of the members of the Senate.

HERRING
AIKIN

Signed—Lieutenant Governor Ben Barnes; Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hall and by unanimous consent, the names of the

Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Herring the resolution was adopted.

Senate Resolution 1453

By unanimous consent, Senator Wallace offered the following resolution:

S. R. No. 1453, Providing for the creation of an Interim Committee to study possible reforms in Texas lobbying laws.

The resolution was read and was referred to the Committee on Administration.

Senate Concurrent Resolution 136

By unanimous consent, Senator Wallace offered the following resolution:

S. C. R. No. 136, Providing for the creation of an Interim Committee to study Texas Financial Responsibility Laws.

The resolution was read and was referred to the Committee on Administration.

House Bill 1890 on Second Reading

Senator Creighton moved that Senate Rules 13, 30 and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1890 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Harris
Bates	Herring
Beckworth	Hightower
Bernal	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman

Snelson
Wallace
Watson

Wilson
Word

The Presiding Officer then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 1890, A bill to be entitled "An Act amending the Water Code to conform to legislation enacted during the Regular Session of the 62nd Legislature; repealing the statutes replaced by this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1890 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the Presiding Officer laid H. B. No. 1890 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 29, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate

Bill No. 989. House conferees: Cobb, Pickens, Ogg, Parker of Jefferson, Doyle.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**Conference Committee Report on
Senate Bill 989**

Senator Wallace submitted the following Conference Committee Report:

Austin, Texas,
May 28, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 989, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

WALLACE
MAUZY
JORDAN
McKOOL
BROOKS

On the part of the Senate.
COBB
OGG
DOYLE

On the part of the House.

S. B. No. 989,

**A BILL
TO BE ENTITLED**

An Act relating to modifying the insurance coverage requirements of the Texas Motor Vehicle Safety-Responsibility Act and the amount of property damage necessitating a report under the provisions of that Act; amending Sections 1 and 4, Subsections (a) and (c) of Section 5, and Subsections (b) of Section 21, Texas Motor Vehicle Safety-Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 1, Texas Motor Vehicle Safety Responsibility Act, as amended (Article 6701h, Vernon's

Texas Civil Statutes), is amended to read as follows:

"Section 1. The following words and phrases, when used in this Act, shall, for the purposes of this Act, have the meanings respectively ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning:

"1. 'Highway' means the entire width between property lines of any road, street, way, thoroughfare, or bridge in the State of Texas not privately owned or controlled, when any part thereof is open to the public for vehicular traffic and over which the State has legislative jurisdiction under its police power.

"2. 'Judgment'—Any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, maintenance or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

"3. 'Motor Vehicle'—Every self-propelled vehicle which is designed for use upon a highway, including trailers and semi-trailers designed for use with such vehicles (except traction engines, road rollers and graders, tractor cranes, power shovels, well drillers and implements of husbandry) and every vehicle which is propelled by electric power obtained from overhead wires but not operated on rails.

"4. 'License'—Any driver's, operator's, commercial operator's, or chauffeur's license, temporary instruction permit or temporary license, or restricted license, issued under Article 6687b, Texas Revised Civil Statutes, pertaining to the licensing of persons to operate motor vehicles.

"5. 'Non-resident'—Every person who is not a resident of the State of Texas.

"6. 'Non-resident's Operating Privilege'—The privilege conferred upon a non-resident by the laws of Texas

pertaining to the operation by him of a motor vehicle, or the use of a motor vehicle owned by him, in the State of Texas.

"7. 'Operator'—Every person who is in actual physical control of a motor vehicle.

"8. 'Owner'—A person who holds the legal title of a motor vehicle, or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this Act.

"9. 'Person'—Every natural person, firm, copartnership, association or corporation.

"10. 'Proof of Financial Responsibility.' Proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of Ten Thousand Dollars (\$10,000) because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of Twenty Thousand Dollars (\$20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and in the amount of Five Thousand Dollars (\$5,000) because of injury to or destruction of property of others in any one accident. The proof of ability to respond in damages may exclude the first Two Hundred Fifty Dollars (\$250) of liability for bodily injury to or death of any one person in any one accident, and, subject to that exclusion for one person, may exclude the first Five Hundred Dollars (\$500) of liability for the bodily injury to or death of two (2) or more persons in any one accident and may exclude the first Two Hundred Fifty Dollars (\$250) of liability for the injury to or destruction of property of others in any one accident.

"11. 'Registration'—Registration or license certificate or license receipt or dealer's license and registration or number plates issued under Article

6675a or Article 6686, Texas Revised Civil Statutes, pertaining to the registration of motor vehicles.

"12. 'Department' means the Department of Public Safety of the State of Texas acting directly or through its authorized officers and agents, except in such Sections of this Act in which some other State Department is specifically named.

"13. 'State'—Any state, territory or possession of the United States, the District of Columbia, or any province of the Dominion of Canada."

Sec. 2. Section 4, Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 4. The operator of every motor vehicle which is in any manner involved in an accident within the State, in which any person is killed or injured or in which damage to the property of any one person, including himself, to an apparent extent of at least Two Hundred Fifty Dollars (\$250) is sustained, shall within ten (10) days after such accident report the matter in writing to the Department. Such report, the form of which shall be prescribed by the Department, shall contain information to enable the Department to determine whether the requirements for the deposit of security under Section 5 are inapplicable by reason of the existence of insurance or other exceptions specified in this Act. Any written report of accident in accordance with Section 44, Chapter 421, Acts of the Fiftieth Legislature, Regular Session, 1947, as last amended by Chapter 363, Acts of the Fifty-third Legislature, Regular Session, 1953, compiled as Article 6701d, Section 44, Vernon's Texas Civil Statutes, if actually made to the Department, shall be sufficient provided it also contains the information required herein. The Department may rely upon the accuracy of the information unless and until it has reason to believe that the information is erroneous. If such operator be physically incapable of making such report, the owner of the motor vehicle involved in such accident shall, within ten (10) days after learning of the accident, make such report. The operator or the owner shall furnish such additional relevant information as the Department shall require.

Sec. 3. Subsections (a) and (c), Section 5, Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes), are amended to read as follows:

"(a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death, or damage to the property of any one person of at least Two Hundred Fifty Dollars (\$250), the Department does not have on file evidence satisfactory to it that the person who would otherwise be required to file security under Subsection (b) of this Section has been released from liability, or has been finally adjudicated not to be liable, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the Department shall determine the amount of security which shall be sufficient in its judgment, and in no event less than Two Hundred Dollars (\$200) to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each operator or owner."

"(c) This Section shall not apply under the conditions stated in Section 6 nor:

"1. To such operator or owner if such owner had in effect at the time of such accident a motor vehicle liability policy with respect to the motor vehicle involved in such accident;

"2. To such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident a motor vehicle liability policy or bond with respect to his operation of motor vehicles not owned by him;

"3. To any person employed by the government of the United States, when such person is acting within the scope or office of his employment;

"4. To such operator or owner if the liability of such operator or owner for damages resulting from such accident is, in the judgment of the Department, covered by any other form of liability insurance policy or bond; nor

"5. To any person qualifying as a self-insurer under Section 34 of this Act, or to any person operating a motor vehicle for such self-insurer.

"No such policy or bond shall be effective under this Section or under Section 7 unless issued by an insurance company or surety company

authorized to write motor vehicle liability insurance in this State, except that if such motor vehicle was not registered in this State, or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy, or the most recent renewal thereof, such policy or bond shall not be effective under this Section unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing the Department to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident; providing, however, every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than Ten Thousand Dollars (\$10,000) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than Twenty Thousand Dollars (\$20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than Five Thousand Dollars (\$5,000) because of injury to or destruction of property of others in any one accident. The policy or bond may exclude coverage of the first Two Hundred Fifty Dollars (\$250) of liability for bodily injury to or death of any one person in any one accident, and, subject to that exclusion for one person, may exclude coverage for the first Five Hundred Dollars (\$500) of liability for the bodily injury to or death of two (2) or more persons in any one accident and may exclude coverage for the first Two Hundred Fifty Dollars (\$250) of liability for the injury to or destruction of property of others in any one accident.

"6. Wherever the word 'bond' appears in this Section or this Act, it shall mean a bond filed with and approved by the Department of Public Safety."

Sec. 4. Subsection (b), Section 21, Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes), is amended to read as follows:

"(b) Such owner's policy of liability insurance:

"1. Shall designate by explicit description or by appropriate refer-

ence all motor vehicles with respect to which coverage is thereby to be granted; and

"2. Shall pay on behalf of the insured named therein and any other person, as insured, using any such motor vehicle or motor vehicles with the express or implied permission of such named insured, all sums which the insured shall become legally obligated to pay as damages arising out of the ownership, maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, as follows: Ten Thousand Dollars (\$10,000) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, Twenty Thousand Dollars (\$20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and Five Thousand Dollars (\$5,000) because of injury to or destruction of property of others in any one accident. The policy may exclude coverage of the first Two Hundred Fifty Dollars (\$250) of liability for bodily injury to or death of any one person in any one accident, and, subject to that exclusion for one person, may exclude coverage for the first Five Hundred Dollars (\$500) of liability for the bodily injury to or death of two (2) or more persons in any one accident and may exclude coverage for the first Two Hundred Fifty Dollars (\$250) of liability for the injury to or destruction of property of others in any one accident."

Sec. 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—31

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Bernal	Creighton
Blanchard	Grover
Bridges	Hall

Harrington	Patman
Harris	Ratliff
Herring	Schwartz
Hightower	Sherman
Jordan	Snelson
Kennard	Wallace
Kothmann	Watson
Mauzy	Wilson
McKool	Word
Moore	

House Bill 979 on Third Reading

Senator Connally asked unanimous consent to suspend the regular order of business and take up H. B. No. 979 for consideration at this time.

There was objection.

Senator Connally then moved to suspend the regular order of business and take up H. B. No. 979 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Harris
Bates	Kothmann
Beckworth	Moore
Bernal	Ratliff
Blanchard	Schwartz
Bridges	Sherman
Brooks	Snelson
Christie	Watson
Connally	Wilson
Hall	Word

Nays—10

Creighton	Jordan
Grover	Kennard
Harrington	Mauzy
Herring	Patman
Hightower	Wallace

Absent

McKool

The Presiding Officer laid before the Senate on its third reading and final passage:

H. B. No. 979, A bill to be entitled "An Act to amend Article 978f-3a, Section 1, Penal Code, increasing number of members of Parks and Wildlife Commission to nine (9) members; and declaring an emergency."

The bill was read third time.

(President in Chair.)

Senator Creighton offered the following amendment to the bill:

Amend H. B. 979 by deleting all below the enacting clause, and substituting in lieu thereof the following:

Section 1. Section 1, Chapter 58, Acts of the 58th Legislature, 1963 (Article 978f-3a, Vernon's Texas Penal Code), is amended to read as follows:

"Section 1. (a) The Parks and Wildlife Department is established as an agency of the state. It is under the policy direction of the Parks and Wildlife Commission.

"(b) The Commission consists of 240 members appointed by the Governor with the advice and consent of two-thirds of the Members of the Senate present and voting. If the Senate is not in session, the Governor shall appoint the members and issue a commission to them as provided by law, and their appointment shall be submitted to the next session of the Senate for their advice and consent in the manner that appointments to fill vacancies under the Constitution are submitted to the Senate. In case of a vacancy on the Commission, the Governor shall appoint a new member to fill the unexpired term of the vacating member.

"(c) The members of the Commission hold office for staggered terms of six (6) years, with the terms of eighty (80) members expiring every two (2) years."

The amendment was read.

Question—Shall the amendment by Senator Creighton be adopted?

Consideration of House Bill 979 Postponed

On motion of Senator Connally and by unanimous consent, further consideration of H. B. No. 979 was postponed until 7:45 o'clock p.m. today or until the conclusion of the consideration of H. B. No. 303.

Question—Shall the amendment by Senator Creighton to H. B. No. 979 be adopted?

House Bill 680 on Second Reading

Senator Watson asked unanimous consent to suspend the regular order of business and take up H. B. No. 680 for consideration at this time.

There was objection.

Senator Watson then moved to suspend the regular order of business and take up H. B. No. 680 for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 680, A bill to be entitled "An Act relating to the cancellation of contracts between insurance companies writing fire and casualty insurance and agents for the appointment of the agent as the representative of the company; amending the Texas Insurance Code by adding Article 21.11-1; and declaring an emergency."

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Amend Section 1 of H. B. No. 680 by adding a new paragraph at the end of Section 1 of Article 21.11-1 in Section 1 of H. B. No. 680 reading as follows:

"(d) Nothing contained in this Act shall ever be deemed or construed to prohibit an amendment or addendum subsequent to the inception date of the original agency agreement providing in such subsequent amendment or addendum that the original agency agreement may be terminated at a sooner time than is required by this Act provided the agent agrees in writing to such sooner termination."

The amendment was read and was adopted.

On motion of Senator Watson, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 680 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 680 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin

Bates

Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word
Jordan	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Conference Committee Report on Senate Bill 400

Senator Watson submitted the following Conference Committee Report:

Austin, Texas,
May 29, 1971.

The Honorable Ben Barnes, President of the Senate

The Honorable Gus F. Mutscher, Speaker of the House of Representatives

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on S. B. No. 400, have met and adjusted our differences and beg leave to recommend that S. B. No. 400 be passed in the form attached hereto.

Respectfully submitted,

BATES
HIGHTOWER
MOORE
HARRINGTON

On the part of the Senate.

SALTER
HOLMES
SOLOMON
LIGARDE
PICKENS

On the part of the House.

S. B. No. 400:

A BILL TO BE ENTITLED

"An Act relating to qualifications for license as a local recording agent and as a temporary local recording

agent; creating an Agent's Education Advisory Board; providing for its membership, organization, duties and compensation; excepting certain persons from the provisions of this Act; providing for examination and renewal fees; amending Article 21.14, Texas Insurance Code, as amended, by amending Sections 9 and 10 and by adding a new Section 5a; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 21.14, Texas Insurance Code, is amended by adding a new Section 5a as follows:

"Section 5a. Requirement as to Knowledge or Instruction for Local Recording Agent's License.

"(a) Every applicant for local recording agent's license from and after October 1, 1971, shall upon the successful passage of the examination for local recording agent's license as promulgated by the State Board of Insurance pursuant to the provisions of this Article 21.14 be issued a temporary local recording agent's license. The holder of a temporary local recording agent's license shall have the same authority and be subject to the same provisions of the law as local recording agents until such temporary license shall expire. Each such temporary license so issued shall expire upon the happening of any one of the following, whichever shall first occur, to-wit:

- (i) The issuance of a local recording agent's license to such person;
- (ii) One year from date of issuance of the temporary local recording agent's license.

Each such person receiving a temporary license as set out above shall within one (1) year from the issue date of such temporary license complete to the satisfaction of the State Board of Insurance one of the following courses of study:

- (i) Classroom courses in insurance satisfactory to the State Board of Insurance at a school, college, junior college or extension thereof; or
- (ii) An insurance company or agents' association school approved by the State Board of Insurance; or
- (iii) A correspondence course in insurance approved by the State Board of Insurance.

Upon the successful completion of any one of the above courses of study

within the one year period, the temporary agent shall then be entitled to receive from the State Board of Insurance his local recording agent's license.

"(b) Provided, however, none of the provisions of this section shall apply to the following:

(1) To any person holding a license as a local recording agent upon the effective date of this Act.

(2) To any person applying for an emergency local recording agent's license under the provisions of Section 6a of Article 21.14 of the Insurance Code of Texas.

(3) To any person who holds the designation Chartered Property and Casualty Underwriter (C.P.C.U.) from the American Institute for Property Liability Underwriters.

(4) To any person who has a bachelor's degree from a four-year accredited college or university with a major in insurance.

(5) To any person who within two (2) years immediately preceding the filing of his application was a licensed agent in good standing in the State from which he moved to Texas, provided such State makes similar provision for those agents who may move from Texas to such State.

(6) To any person desiring to apply for a license to solicit and write exclusively all forms of insurance authorized to be solicited and written in Texas covering the ownership, operation, maintenance or use of any motor vehicle, its accessories and equipment, designed for use upon the public highways, including trailers and semitrailers. Such person shall continue to apply for and qualify to be licensed under the other provisions of Article 21.14 of the Insurance Code of Texas. Provided, such applicant shall be required to take and pass, to the satisfaction of the State Board of Insurance, an examination, promulgated by said Board, covering only those forms of insurance referred to in this paragraph. Provided, when such a person so applies and qualifies, he shall be issued a license which shall contain on the face of said license the following language: 'Agent's license to solicit and write all forms of motor vehicle insurance only.' An agent holding such a limited license hereby created shall solicit only those forms of insurance hereinabove provided, but shall be subject to all other laws relating to local recording agents.

"(c) There is hereby created an Agent's Education Advisory Board whose duties shall be to advise with and make recommendations to the State Board of Insurance concerning the curriculum, course content and schools to be approved under Subsection (a) above. The members of said Advisory Board shall be appointed by the Chairman of the State Board of Insurance and shall serve for one year, from September 1 to August 31, or until their successors are appointed. Said Advisory Board shall be composed of the following persons: Two (2) members, each of whom shall be a resident of Texas and have a minimum of ten (10) years' experience as an executive of a fire and casualty company doing business in Texas and whose company operates an agents' school; two (2) members, each of whom shall be a licensed local recording agent in Texas with a minimum of ten (10) years' experience as an agent; and one (1) member who shall be a teacher of insurance at a four-year accredited college or university in Texas. Said Advisory Board shall meet at the offices of the State Board of Insurance upon call of the Chairman of the State Board of Insurance and the members of said Advisory Board shall be paid out of the Recording Agents License Fund for their actual and necessary expenses incurred in connection with their attendance at said meetings."

Section 2. Section 9, Article 21.14, Texas Insurance Code is amended to read as follows:

"Section 9. Fees payable Before Examination. Applicants required to be examined shall, at time and place of examination, pay prior to being examined the following fees: For a local recording agent's license a fee of Ten Dollars (\$10.00) and for a solicitor's license a fee of Five Dollars (\$5.00)."

Section 3. Section 10, Article 21.14, Texas Insurance Code, is amended to read as follows:

"Section 10. Renewal Fees. An applicant for the renewal of a local recording agent's license or for a renewal of a solicitor's license shall pay, at the time the renewal application is filed, a fee of Ten Dollars (\$10.00)."

Section 4. The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on

three several days in each House be suspended, and the Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson

Nays—1

Word

Bill and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

S. C. R. No. 128.

S. B. No. 837.

House Bill 1078 on Second Reading

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1078, A bill to be entitled "An Act providing for operation of all school districts in the state on a quarterly rather than a semester basis; etc.; and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following Committee Amendment to the bill:

Amend H. B. 1078 by striking the quoted Section 16.862 in Section 1 and substituting in lieu thereof the following:

"Section 16.862. OPERATION ON QUARTER BASIS. Beginning with the 1972-1973 school year, each school district in this state may operate on the basis of a quarter system, and beginning with the 1973-1974 school year, each school district in this state shall operate on the basis of a quarter system, with the schools being in operation during at least three quarters during each school year, providing 180 days of instruction for students and 10 days of in-service education for teachers."

The Committee Amendment was read and was adopted.

Senator Brooks offered the following Committee Amendment to the bill:

Amend the quoted Section 16.864(b) of Section 1 of H. B. No. 1078 by deleting the last sentence.

The Committee Amendment was read and was adopted.

Senator Brooks offered the following Committee Amendment to the bill:

Amend the quoted Section 16.864(c) of Section 1 of H. B. No. 1078 by adding a new sentence to the end of Section 16.864(c) to read as follows:

"A teacher or other school employee under the Minimum Foundation Program who elects to work four quarters during a school year shall receive a minimum salary which is increased proportionately in compliance with the state compensation plan."

The Committee Amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 1078 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1078 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Bates	Herring
Beckworth	Hightower
Bernal	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Ratliff
Grover	Schwartz
Hall	Wallace
Harrington	Wilson
Harris	

Nays—6

Aikin	Snelson
Patman	Watson
Sherman	Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Sherman, Aikin, Snelson, Hightower and Ratliff asked to be recorded as voting "Nay" on the final passage of the bill.

House Bill 1848 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1848, A bill to be entitled "An Act providing for the creation of the Concho County Hospital District over all of Concho County, Texas; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1848 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1848 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Resolution 1455

Senator Christie offered the following resolution:

S. R. No. 1455, Providing for the creation of an Interim Committee on Collection of the Sales Tax.

The resolution was read and was referred to the Committee on Administration.

Reports of Standing Committees

By unanimous consent, Senator Hightower submitted the following reports for the Committee on Administration:

S. C. R. No. 136 (Floor report).

S. R. No. 1453 (Floor report).

S. R. No. 1455 (Floor report).

S. R. No. 1347 (Floor report).

By unanimous consent, Senator Herring submitted the following report for the Committee on Jurisprudence:

H. B. No. 1564 (Floor report).

By unanimous consent, Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

H. B. No. 792 (Floor report).

**Senate Concurrent Resolution 136
Ordered Not Printed**

On motion of Senator Wallace and by unanimous consent, S. C. R. No. 136 was ordered not printed.

**Senate Resolution 1453 Ordered
Not Printed**

On motion of Senator Wallace and by unanimous consent, S. R. No. 1455 was ordered not printed.

**Senate Resolution 1455 Ordered
Not Printed**

On motion of Senator Christie and by unanimous consent, S. R. No. 1455 was ordered not printed.

**Senate Resolution 1347 Ordered
Not Printed**

On motion of Senator Hightower and by unanimous consent, H. B. No. 1347 was ordered not printed.

House Bill 1564 Ordered Not Printed

On motion of Senator Hightower and by unanimous consent, H. B. No. 1564 was ordered not printed.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 1846.
H. B. No. 1867.
H. B. No. 1884.
H. B. No. 1861.
H. B. No. 1860.
H. B. No. 1798.
H. B. No. 1796.
H. B. No. 1777.
H. B. No. 1757.
H. B. No. 1731.
H. B. No. 1726.
H. B. No. 1725.
H. B. No. 1702.
H. B. No. 1700.
H. B. No. 1676.

H. B. No. 1616.
H. B. No. 1609.
H. B. No. 145.
H. C. R. No. 183.
H. C. R. No. 177.
H. C. R. No. 176.
H. C. R. No. 154.
H. C. R. No. 147.
H. C. R. No. 145.
H. C. R. No. 141.
H. B. No. 1489.
H. C. R. No. 138.
H. C. R. No. 131.
H. C. R. No. 85.
H. C. R. No. 73.
H. C. R. No. 71.
H. C. R. No. 31.
H. J. R. No. 41.
H. B. No. 1799.
H. B. No. 1207.
H. B. No. 1203.
H. B. No. 1390.
H. B. No. 857.
H. B. No. 840.
H. B. No. 653.
H. B. No. 636.
H. B. No. 611.
H. B. No. 502.
H. B. No. 426.
H. B. No. 1391.
H. B. No. 1734.
H. B. No. 862.
H. B. No. 1265.
H. B. No. 1385.
H. B. No. 909.
H. B. No. 918.
H. B. No. 1062.

H. B. No. 995.

H. B. No. 1152.

H. B. No. 1154.

H. B. No. 1064.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 29, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill No. 6 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House conferees: Calhoun, Allen of Harris, Cavness, Johnson, McKissack.

S. C. R. No. 124, Resolved that the directors of the Veterans Administration Prosthetic Research Center be urged to consider moving to the Houston area.

H. C. R. No. 192, Congratulating Dr. Jack Kenny Williams on his excellent achievements in the field of education, and on his appointment as President of Texas A&M University.

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

House Bill 303 on Second Reading

Senator Hall moved to suspend the regular order of business and take up H. B. No. 303 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Hightower
Bates	Jordan
Beckworth	Kothmann
Bernal	McKool
Blanchard	Patman
Bridges	Ratliff
Connally	Sherman
Creighton	Watson
Hall	Wilson
Harrington	Word
Harris	

Nays—10

Brooks	Mauzy
Christie	Moore
Grover	Schwartz
Herring	Snelson
Kennard	Wallace

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 303, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas System to accept junior and senior level students at The University of Texas at Dallas beginning in the fall term of 1973, and to establish a four-year undergraduate program beginning in the fall term of 1975; etc.; and declaring an emergency."

The bill was read second time.

Senator Kennard offered the following amendment to the bill:

Amend House Bill No. 303 by adding a Section 2 to read as follows:

Section 2. HALL OF TEXAS HEROES. The Board shall establish on the campus of the University a museum of the first class to be known as "The Hall of Texas Heroes." The museum shall contain life-like statues, carved or molded from wax, of the leading heroes of Texas, including, but not limited to:

- (1) Davy Crockett;
- (2) Ma Ferguson;
- (3) Audie Murphy;
- (4) Sam Houston;
- (5) S. F. Austin;
- (6) Lyndon B. Johnson;
- (7) Tommy Nobis;
- (8) Sam Rayburn;
- (9) Jim Hogg;
- (10) Walter Prescott Webb;
- (11) J. Frank Dobie;
- (12) John Nance Garner;
- (13) William B. Travis;
- (14) Mirabeau B. Lamar;

And renumbering the succeeding sections to conform.

The amendment was read.

Senator Schwartz offered the following amendment to the amendment to the bill:

Amend the pending amendment by adding the name of Judge Woodrow Bean.

The amendment to the amendment was read and was adopted.

Pending discussion by Senator Kennard of the amendment, Senator Aikin occupied the Chair.

Senator Hall moved the Previous Question on the adoption of the amendment and the passage to third reading of H. B. No. 303 and the motion was duly mentioned.

Question—Shall the Previous Question be ordered?

The motion for the Previous Question was lost by the following vote:

Yeas—13

Aikin	Kothmann
Bates	McKool
Bridges	Patman
Connally	Sherman
Hall	Watson
Harris	Word
Hightower	

Nays—14

Beckworth	Jordan
Bernal	Kennard
Blanchard	Mauzy
Brooks	Schwartz
Christie	Snelson
Harrington	Wallace
Herring	Wilson

Absent

Creighton	Moore
Grover	Ratliff

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

Bills Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 768.

S. B. No. 396 (Again signed).

(Senator Harris in Chair.)

**Conference Committee
on House Bill 6**

Senator Brooks called from the President's table for consideration at this time, the request of the House

for a Conference Committee to adjust the differences between the two Houses on H. B. No. 6 and moved that the request be granted.

The motion prevailed.

The Presiding Officer asked if there were any motions to instruct the Conference Committee on H. B. No. 6 before appointment.

There were no motions offered.

Accordingly, The Presiding Officer announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Brooks, Bridges, Bates, Jordan and Wallace.

(Senator Aikin in Chair.)

Report of Standing Committee

By unanimous consent, Senator Bridges submitted the following report for the Committee on Commerce and Industry:

H. B. No. 1584 (Floor report).

House Bill 1584 Ordered Not Printed

On motion of Senator Hightower and by unanimous consent, H. B. No. 1584 was ordered not printed.

House Bill 303 on Second Reading

The Senate resumed the consideration of the pending business same being H. B. No. 303 on its second reading and passage to third reading with an amendment by Senator Kennard pending.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

(Senator Sherman in Chair.)

**Senate Resolution 1443 on
Second Reading**

On motion of Senator Christie and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1443, Providing for the creation of an Interim Committee on Physical Fitness.

The resolution was read and was adopted.

**Senate Resolution 1455 on
Second Reading**

On motion of Senator Christie and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1455, Providing for the creation of an Interim Committee on Efficiency of Collection of the Sales Tax.

The resolution was read and was adopted.

Senate Resolution 1458

Senator Hall offered the following resolution:

S. R. No. 1458, Providing for the creation of an Interim Committee to study Consumer Protection legislation.

The resolution was read and was adopted.

**Senate Concurrent Resolution 136
on Second Reading**

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. C. R. No. 136, Providing for the creation of an Interim Committee on the State Financial Responsibility Law.

The resolution was read.

On motion of Senator Wallace and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Resolution 1453 on
Second Reading**

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1453, Providing for the creation of an Interim Committee to study Texas Lobby Laws.

The resolution was read and was adopted.

Bills and Resolutions Signed

The Presiding Officer announced the signing by the President in the pres-

ence of the Senate after the caption had been read, the following enrolled bills and resolution:

H. B. No. 275.

H. B. No. 202.

H. B. No. 71.

H. B. No. 40.

H. J. R. No. 35.

H. B. No. 1287.

H. B. No. 1039.

H. B. No. 1456.

H. B. No. 1006.

H. B. No. 968.

H. B. No. 992.

H. B. No. 893.

H. B. No. 842.

H. B. No. 780.

H. B. No. 592.

H. B. No. 521.

H. B. No. 514.

H. B. No. 314.

H. B. No. 1882.

H. B. No. 967.

H. B. No. 887.

H. B. No. 1831.

H. B. No. 1787.

H. B. No. 1782.

H. B. No. 1780.

H. B. No. 1743.

H. B. No. 1708.

H. B. No. 1661.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 29, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 783, A bill to be entitled "An Act relating to reapportionment of state representative districts, etc.; and declaring an emergency."

The House refused to concur in Senate amendments to House Bill No. 782 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House Conferees: D. Jones, Clyde Haynes, Cruz, Shannon, Doran.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives
(Senator Jordan in Chair).

**Senate Resolution 1291 on
Second Reading**

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1291—Providing for the creation of an Interim Committee on rising automobile repair costs.

The resolution was read and was adopted.

**Senate Resolution 1292 on
Second Reading**

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1292—Providing for the creation of an Interim Committee to study the cost of health care in Texas.

The resolution was read and was adopted.

**Senate Resolution 1296 on
Second Reading**

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1296—Providing for the creation of an Interim Committee to study State Personnel policies.

The resolution was read and was adopted.

**Senate Resolution 1307 on
Second Reading**

On motion of Senator Mauzy and by unanimous consent, the regular or-

der of business was suspended to take up for consideration at this time:

S. R. No. 1307—Providing for the creation of an Interim Committee on Automobile Insurance.

The resolution was read and was adopted.

(Senator Aikin in Chair).

**Senate Resolution 1347 on
Second Reading**

On motion of Senator Hightower and by unanimous consent the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1347—Relating to manner in which Texas Legislative Council drafts bills and joint resolutions.

The resolution was read and was adopted.

**Conference Committee Report
on House Bill 6**

Senator Brooks submitted the following Conference Committee Report:

Austin, Texas,
May 29, 1971.

Honorable Ben Barnes, President of the Senate.

Honorable Gus Mutscher, Speaker of The House of Representatives.

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill 6 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

BROOKS
WALLACE
BATES
JORDAN
BRIDGES

On the part of the Senate.

CALHOUN
ALLEN of Harris
SOLOMON
CAVNESS
McKISSACK

On the part of the House.

The Conference Committee Report was read and was adopted.

Record of Votes

Senators Watson, Hightower and Word asked to be recorded as voting "Nay" on the adoption of the Conference Committee Report.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 29, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill 727 by non-record vote.

The House has adopted the Conference Committee Report on Senate Bill No. 400 by non-record vote.

The House has adopted the Conference Committee Report on House Bill 333 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 451 by vote of 129 Ayes, 0 Noes.

The House has concurred in Senate amendments to House Bill No. 680 by non-record vote.

The House has refused to concur in Senate amendments to House Bill No. 1671 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House conferees: Floyd, Wolff, Parker of Denton, Blanton, Orr.

S. B. No. 515, A bill to be entitled "An Act amending Statutes by adding Section 3.029 providing for the creation of the 200th and 201st Judicial Districts to be composed of the County of Travis; and declaring an emergency."

H. C. R. No. 184, Creating a special Interim Committee on the Penal Code of Texas.

H. J. R. No. 58, Proposing an amendment to Article III, Section 24, and Article IV, Section 17, Constitution of the State of Texas, to provide for an annual salary of \$22,500 for the Lieutenant Governor and the Speaker of the House of Repre-

sentatives, and \$8,400 for Members of the Senate and House of Representatives, and to extend to 120 days only of the Regular Session the per diem allowance of Members of the Legislature.

H. J. R. No. 95, Proposing an amendment to Article IV, Section 17 of the Texas Constitution, and adding a new Section 24a to Article III of the Texas Constitution, to provide a salary of \$22,500 for the Lieutenant Governor and the Speaker of the House of Representatives.

H. B. No. 695, A bill to be entitled "An Act authorizing the commissioners court in certain counties to regulate the use of land lying outside the limits of incorporated cities, towns, and villages; providing that no existing structure or use will be affected; providing for notice and hearings; establishing and prescribing the duties of a zoning commission; providing for appeals; providing for enforcement; prescribing penalties; prescribing the effect of conflicting laws; providing exceptions; and declaring an emergency."

H. B. No. 814, A bill to be entitled "An Act authorizing counties to regulate subdivision development and construction standards in unincorporated areas; providing for city approval of county regulation in extra-territorial jurisdictions; requiring the filing of plats and plat approval by commissioners courts; authorizing commissioners courts to exercise powers granted by this Act; providing penalties; and declaring an emergency."

H. B. No. 1674, A bill to be entitled "An Act relating to time for payment and the requirement of a surety bond to secure payment by distributors for cigarette stamps and meter settings; amending Section (9), Article 7.08, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended; relating to possession of unstamped cigarettes; amending Article 7.10, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended; relating to exemptions of food and food products for human consumption; amending Sections (K) (1) and (K) (2) (b), Article 20.04, Title 122A, Taxation—General, Revised

Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1115, A bill to be entitled "An Act relating to the issuance of license plates by the State Highway Department; amending Section 13, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675-13, Vernon's Texas Civil Statutes); amending Sections 5, 6, and 7, Chapter 3, Acts of the 43rd Legislature, 2nd Called Session, 1934, as amended (Article 807b, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 452, A bill to be entitled "An Act establishing a state policy for the environment, to require state agencies and subdivisions to comply herewith, to provide for the establishment of an Office of Environmental Quality, and enacting other provisions relating to the subject; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(Senator Harris in Chair.)

SUNDAY, MAY 30, 1971

(President Pro Tempore in Chair.)

House Bill 303 on Second Reading

The Senate resumed the consideration of the pending business, same being H. B. No. 303 on its second reading and passage to third reading with an amendment by Senator Kennard pending.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

Pending discussion by Senator Kennard of the amendment, Senator Bates raised the Point of Order that Senator Kennard was eating and drinking at his desk.

The President Pro Tempore sustained the Point of Order, stating that this was a First Warning.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 29, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on Senate Bill 989 by a non-record vote.

The House has concurred in Senate amendments to House Bill No. 66 by a vote of 131 Ayes, 0 Noes.

The House has concurred in Senate amendments to House Bill 259 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 1078 by non-record vote.

S. B. No. 584, A bill to be entitled "An Act permitting a church, religious society, veteran's organization, and other nonprofit charitable organizations to conduct lotteries for their benefit; amending Article 654, Penal Code of Texas, 1925; providing for penalties; and declaring an emergency."

(With amendment.)

S. B. No. 841, A bill to be entitled "An Act creating a Criminal Justice Planning Fund, providing for costs of courts for said fund, providing for the appropriation and expenditure of said funds, reappropriation of said funds; and declaring an emergency."

H. B. No. 1367, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Article 666 and 667; providing a severability clause; repealing laws in conflict herewith; and declaring an emergency."

S. B. No. 885, A bill to be entitled "An Act amending Statutes to provide for the depositing of a surety bond in lieu of an amount equal to the amount of damages awarded by the special commissioners in an eminent domain proceeding; etc.; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 1115, To Committee on State Affairs.

H. B. No. 452, To Committee on Environment.

H. B. No. 783, To Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 1674, To Committee on County, District and Urban Affairs.

H. J. R. No. 95, To Committee on Constitutional Amendments.

H. J. R. No. 58, To Committee on Constitutional Amendments.

H. B. No. 695, To Committee on County, District and Urban Affairs.

H. B. No. 814, To Committee on County, District and Urban Affairs.

H. B. No. 1367, To Committee on County, District and Urban Affairs.

Report of Standing Committee

By unanimous consent, Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

H. B. No. 1674.

House Bill 1674 Ordered Not Printed

On motion of Senator Moore and by unanimous consent, H. B. No. 1674 was ordered not printed.

(President in Chair.)

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 29, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 455, A bill to be entitled "An Act amending Subdivision 26.65 (a), of Subchapter D, of Chapter 26, of the Texas Education Code, as last

amended by Acts of the 61st Legislature, Regular Session, to provide eligibility for vocational education units, administrative units, and special service personnel, to rehabilitation districts, directly through the Foundation School Program of the Central Education Agency, and providing for effective date for the mandatory provisions of this act; and declaring an emergency."

S. B. No. 1011, A bill to be entitled "An Act defining the term 'impacted property' as certain described real property in Grayson County located adjacent to or near the western end of Eisenhower State Park; etc.; and declaring an emergency."

H. B. No. 1744, A bill to be entitled "An Act relating to the quail season in Victoria County; amending Section 1, Chapter 166, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

H. B. No. 1888, A bill to be entitled "An Act relating to the composition of the 198th Judicial District; amending Subsection (a), Section 3.026, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1488, A bill to be entitled "An Act enacting temporary provisions relating to the method of conducting and financing primary elections and to the fees, assessments, and deposits levied against candidates; amending the Texas Election Code as follows: amending Section 185a, as amended (Article 13.07a, Vernon's Texas Election Code) by adding Subsection (3); amending Subsection (1), Section 186, as amended (Article 13.08); amending Section 186, as amended (Article 13.08); by adding Subsections (5), (6), and (7); adding Section 186c; amending Section 187, as amended (Article 13.09); adding Section 187a; amending Paragraph (ii), Subsection 2, Section 190a (Article 13.12a); repealing Section 186a, as amended (Article 13.08a), Section 186a-1 (Article 13.08a-1), and Section 194, as amended (Article 13.16); making the Act effective only upon the occurrence of certain conditions and fixing the expiration date if the Act becomes effective; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 303 on Second Reading

The Senate resumed the consideration of the pending business, same being H. B. No. 303 on its second reading and passage to third reading with an amendment by Senator Kennard pending.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

Pending discussion by Senator Kennard of the amendment, Senator Hall moved the Previous Question on the adoption of the pending amendment and the passage to engrossment of H. B. No. 303 and the motion was duly seconded.

Question—Shall the Previous Question now be ordered?

The Previous Question was ordered by the following vote:

Yeas—15

Aikin	Hightower
Bates	Kothmann
Beckworth	McKool
Bridges	Patman
Connally	Sherman
Creighton	Watson
Hall	Word
Harris	

Nays—13

Bernal	Jordan
Blanchard	Kennard
Brooks	Mauzy
Christie	Schwartz
Grover	Snelson
Harrington	Wallace
Herring	

Absent

Moore	Wilson
Ratliff	

Motion to Adjourn

Senator Mauzy moved the Senate stand adjourned until 10:00 o'clock Monday, May 31, 1971.

Question on the Motion to Adjourn, "Yeas" and "Nays" were demanded.

The motion to adjourn was lost by the following vote:

Yeas—7

Beckworth	Mauzy
Grover	Schwartz
Herring	Snelson
Kennard	

Nays—21

Aikin	Harris
Bates	Hightower
Bernal	Jordan
Blanchard	Kothmann
Bridges	McKool
Brooks	Patman
Christie	Sherman
Connally	Wallace
Creighton	Watson
Hall	Word
Harrington	

Absent

Moore	Wilson
Ratliff	

(Senator Blanchard in Chair.)

Pending discussion by Senator Kennard of the amendment, Senator Aikin occupied the Chair.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

House Bill 1674 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1674, A bill to be entitled "An Act relating to time for payment and the requirement of a surety bond to secure payment by distributors for cigarette stamps and meter settings; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 303 on Second Reading

The Senate resumed the consideration of the pending business, same being H. B. No. 303 on its second reading and passage to third reading with an amendment by Senator Kennard pending.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

Pending discussion by Senator Kennard of the amendment, Senator Jordan occupied the Chair.

Pending further discussion by Senator Kennard of the amendment, the President Pro Tempore occupied the Chair.

(Senator Aikin in Chair.)

Notice of Executive Session

Senator Christie gave notice that he would on Monday, May 31, 1971, at 11:30 o'clock a.m., move for an Executive Session.

(Senator Schwartz in Chair.)

House Bill 303 on Second Reading

The Senate resumed the consideration of the pending business, same being H. B. No. 303 on its second reading and passage to third reading with an amendment by Senator Kennard pending.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

Pending discussion by Senator Kennard of the amendment, Senator Mauzy occupied the Chair.

Conference Committee on House Bill 782

Senator Word called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 782 and moved that the request be granted.

The motion prevailed.

The Presiding Officer asked if there were any motions to instruct the Conference Committee on H. B. No. 782 before appointment.

There were no motions offered.

Accordingly, the Presiding Officer announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Word, Patman, Wilson, Jordan and Hall.

House Bill 303 on Second Reading

The Senate resumed the consideration of the pending business, same be-

ing H. B. No. 303 on its second reading and passage to third reading with an amendment by Senator Kennard pending.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

(Senator Aikin in Chair.)

Pending further discussion by Senator Kennard of the amendment, the President Pro Tempore occupied the Chair.

Senate Resolution 1461

Senator Bates offered the following resolution:

Whereas, We are honored today to have on the floor of the Senate Charles and Catherine Mauzy who are with their father, the distinguished Senator from Dallas;

Whereas, These two fine children are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young Texas citizens are here to observe and to learn at firsthand the workings of their State government, and their father in particular; now, therefore, be it

Resolved, That we officially recognize and welcome these youngsters and commend them for their interest; and that a copy of this Resolution properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit, and that the Senate allow them "the run of the floor."

The resolution was read and was adopted.

Senate Resolution 1339 on Second Reading

On motion of Senator Wilson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1339, Providing for the creation of an Interim Committee to study the Medicaid Program.

The resolution was read and was adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 30, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 1213 by vote of 136 Ayes, 1 No, 3 present not voting.

The House has concurred in Senate amendments to House Bill 322 by non-record vote.

S. B. No. 419, A bill to be entitled "An Act relating to the creation of Tyler State College; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 1733 by vote of 140 Ayes, 0 Noes.

S. B. No. 421, A bill to be entitled "An Act relating to vesting of benefits under the optional retirement program; etc.; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 303 on Second Reading

The Senate resumed the consideration of the pending business, same being H. B. No. 303 on its second reading and passage to third reading with an amendment by Senator Kennard pending.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

(President Pro Tempore in Chair.)

Pending further discussion by Senator Kennard of the amendment, Senator Schwartz occupied the Chair.

Bills and Resolution Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S. B. No. 1011.

S. B. No. 885.

S. B. No. 515.

S. B. No. 989.

S. B. No. 841 (Signed, subject to the provisions of Section 49a, Article III of the Constitution of the State of Texas).

S. C. R. No. 124.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 30, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

Motion to suspend all necessary rules and reconsider the vote by which the House refused to concur in Senate amendments to H. B. No. 474 on May 27, and requested appointment of a Conference Committee prevailed; and, the House concurred in Senate amendments to House Bill No. 474 by vote of 114 Ayes and 22 Noes.

The House has concurred in Senate amendments to House Bill No. 1482 by vote of 115 Ayes, 9 Noes.

The House has concurred in Senate amendments to House Bill No. 267 by vote of 132 Ayes, 0 Noes.

The House has concurred in Senate amendments to House Bill No. 268 by vote of 138 Ayes, 0 Noes.

The House has concurred in Senate amendments to House Bill No. 930 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 605 by non-record vote.

The House refused to concur in Senate amendments to House Bill No. 415 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House Conferees: Orr, Parker of Jefferson, Boyle, Caldwell, Floyd.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Report of Standing Committee

By unanimous consent, Senator Wilson submitted the following report for the Committee on Constitutional Amendments:

H. J. R. No. 96.

House Joint Resolution 96 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent, H. J. R. No. 96 was ordered not printed.

Senate Concurrent Resolution 137

Senator Word offered the following resolution:

S. C. R. No. 137—Recalling S. B. No. 910 from the Governor in order that certain corrections may be made.

The resolution was read.

On motion of Senator Word and by unanimous consent, the resolution was considered immediately and was adopted.

(President Pro Tempore in Chair).

House Bill 303 on Third Reading

The Senate resumed the consideration of the pending business, same being H. B. No. 303 on its second reading and passage to third reading with an amendment by Senator Kennard pending.

Question—Shall the amendment by Senator Kennard to H. B. No. 303 be adopted?

(President in Chair).

On motion of Senator Kennard and by unanimous consent the amendment was withdrawn.

*

Question on the passage of the bill to third reading, the bill was passed to third reading by the following vote:

Yeas—19

Aikin	Bridges
Bates	Connally
Beckworth	Creighton
Bernal	Hall
Blanchard	Harrington

*At 8:22 o'clock p.m., Senator Kennard had talked on H. B. No. 303 for 29 hours and 22 minutes which surpassed the record of former Senator Kilmer Corbin of 28 hours, 15 minutes, in 1955.

Harris
Hightower
Kothmann
McKool
Patman

Ratliff
Sherman
Watson
Word

Nays—11

Brooks
Grover
Herring
Jordan
Kennard
Mauzy

Moore
Schwartz
Snelson
Wallace
Wilson

Absent

Christie

House Bill 979 on Third Reading

The President laid before the Senate as postponed business H. B. No. 979 on its third reading and final passage with an amendment by Senator Creighton pending.

Question—Shall the amendment by Senator Creighton be adopted?

On motion of Senator Creighton and by unanimous consent, the amendment was withdrawn.

The bill was then finally passed.

Record of Votes

Senators Herring, Harrington, Grover and Wallace asked to be recorded as voting "Nay" on the final passage of the bill.

Senate Bill 584 With House Amendment

Senator Schwartz called S. B. No. 584 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend S. B. No. 584, second printing by adding a new section properly numbered.

The acts set out in the bill shall only apply on property owned by the operating agency.

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed.

Record of Votes

Senators Hightower, Watson, Aikin and Wallace asked to be recorded as voting "Nay" on the motion to concur in House amendments.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 1888, To Committee on County, District and Urban Affairs.

H. B. No. 1744, To Committee on Parks and Wildlife.

H. B. No. 1488, To Committee on Education.

Presentation of Guest

The President presented as a guest of the Senate today, The Honorable Preston Smith, Governor of The State of Texas.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 866.

H. B. No. 1016.

H. B. No. 519.

H. C. R. No. 187.

H. C. R. No. 134.

H. C. R. No. 129.

H. B. No. 416.

H. C. R. No. 188.

H. C. R. No. 186.

H. C. R. No. 185.

H. C. R. No. 180.

H. C. R. No. 172.

H. B. No. 1772.

H. B. No. 1837.

H. B. No. 1771.

H. B. No. 1635.

H. B. No. 1605.

H. B. No. 1599.

H. B. No. 1325.

H. B. No. 1297.

H. B. No. 1254.

H. B. No. 1188.

H. B. No. 1053.

H. B. No. 1069.

H. B. No. 1019.

H. B. No. 690.

H. B. No. 1582.

H. B. No. 703.

H. B. No. 628.

H. B. No. 458.

H. B. No. 1541.

H. B. No. 339.

H. B. No. 1472.

H. B. No. 733.

H. B. No. 335.

H. J. R. No. 57.

H. B. No. 694.

H. J. R. No. 68.

H. B. No. 910.

H. B. No. 1697.

H. B. No. 525.

H. B. No. 1735.

H. B. No. 883.

H. B. No. 1696.

H. B. No. 685.

H. B. No. 686.

H. B. No. 1694.

H. B. No. 1789.

H. B. No. 1693.

H. B. No. 1873.

H. B. No. 1832.

H. B. No. 1692.

H. B. No. 1810.

H. B. No. 1131.

H. B. No. 1034.

H. B. No. 1755.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 30, 1971.

Hon. Ben Barnes, President of the Senate.

Sir, I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 80, A bill to be entitled "An Act creating a Texas Department of Community Affairs; etc.; and declaring an emergency."

S. C. R. No. 137, Requesting the Governor to return Senate Bill No. 910 to the Senate Enrolling and Engrossing Clerk.

(With amendment.)

S. B. No. 268, A bill to be entitled "An Act relating to the taxation and regulation of certain coin-operated machine businesses; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 359, A bill to be entitled "An Act amending Statutes relating to definition of any interested owner authorized to invoke provisions of Article 6008c and to apply for the pooling of mineral and royalty interests in oil or gas reservoirs, said definition to include any interested royalty or working interest owner in the effective acreage to be pooled; and declaring an emergency."

(With amendments.)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 1024 Re-Referred

On motion of Senator Bernal and by unanimous consent, H. B. No. 1024 was withdrawn from the Committee on State Affairs and re-referred to the Committee on State Departments and Institutions.

Reports of Standing Committees

By unanimous consent, Senator Connally submitted the following report for the Committee on Parks and Wildlife:

H. B. No. 1744.

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 1024.

House Bill 1024 Ordered Not Printed

On motion of Senator Bernal and by unanimous consent, H. B. No. 1024 was ordered not printed.

House Bill 1744 Ordered Not Printed

On motion of Senator Patman and by unanimous consent, H. B. No. 1744 was ordered not printed.

Conference Committee Report on House Bill 928

Senator Christie called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 928 and moved that the request be granted.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on H. B. No. 928 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Christie, Blanchard, Creighton, Schwartz and Harris.

Conference Committee Report on House Bill 1424

Senator Word submitted the following Conference Committee Report:

Austin, Texas,
May 24, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. G. F. "Gus" Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on H. B. No. 1424, have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,
CLAYTON
SLIDER
TRAEGER
PARKER
SHANNON

On the part of the House.

WORD
HARRIS
CREIGHTON
MAUZY
SCHWARTZ

On the part of the Senate.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Nays—3

Blanchard	Ratliff
Grover	

House Bill 266 on Third Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

H. B. No. 266, A bill to be entitled "An Act amending the subject matter of the Texas Unemployment Compensation Act; etc.; and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Bernal	Creighton
Blanchard	Grover
Bridges	Hall

Harrington
Harris
Herring
Hightower
Jordan
Kennard
Kothmann
Mauzy
McKool
Moore

Patman
Ratliff
Schwartz
Sherman
Snelson
Wallace
Watson
Wilson
Word

House Bill 988 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 988, A bill to be entitled "An Act relating to the creation, establishment, administration, powers, duties, maintenance and operation of the Bandera County River Authority of Bandera County, Texas; and declaring an emergency."

The bill was read second time.

Senator Word offered the following amendment to the bill:

Amend H. B. No. 988 by striking "(1) (2) (3) (4) (5) (6) (7) (8) (9)" in Section 9 and substituting the following:

"(1) M. R. Sanridge
(2) Thomas U. Kesse
(3) Daniel Tschirhart
(4) Edwin Vawter
(5) Allie Allsup
(6) Paul Garrison, Sr.
(7) Eldon Boltinghouse
(8) Henry Fisher
(9) R. E. Adams"

The amendment was read and was adopted.

On motion of Senator Word and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 988 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 988 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 724 on Third Reading

Senator Kennard asked unanimous consent to suspend the regular order of business and take up H. B. No. 724 for consideration at this time.

There was objection.

Senator Kennard then moved to suspend the regular order of business and take up H. B. No. 724 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Connally	Patman
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Nays—4

Aikin	Ratliff
Blanchard	Wallace

The President laid before the Senate on its third reading and final passage:

H. B. No. 724, A bill to be entitled "An Act relating to the establishment of a state school in the Fort Worth-Dallas area for the mentally retarded; and declaring an emergency."

The bill was read third time.

Senator Blanchard offered the following amendment to the bill:

Amend H. B. 724 by removing therefrom the words "Dallas-Fort Worth or Fort Worth-Dallas" wherever such words appear in the bill.

BLANCHARD
KENNARD

The amendment was read and was adopted by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Vote on Adoption of Blanchard
Amendment to House Bill 724
Reconsidered

On motion of Senator Blanchard and by unanimous consent, the vote by which his amendment to H. B. No. 724 was adopted was reconsidered.

Question—Shall the amendment to H. B. No. 724 be adopted?

On motion of Senator Blanchard and by unanimous consent, the amendment was withdrawn.

Senator Aikin offered the following amendment to the bill:

Amend H. B. 724 by striking out the words "Fort Worth-Dallas Area" and insert in lieu thereof the following: "The school to be located by the Board of Mental Health and Retardation after a survey has been made showing where the school is most needed."

The amendment was read and was adopted by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

On motion of Senator Kennard and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was then finally passed.

House Bill 1024 on Second Reading

On motion of Senator Bernal and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1024, A bill to be entitled "An Act relating to bilingual education training institutes, bilingual instructional materials, and salaries for bilingual education teachers; etc., and declaring an emergency."

The bill was read second time.

Senator Bernal offered the following Committee Amendment to the bill:

Amend H. B. No. 1024, by adding a new Section 5 to read as follows:

Sec. 5. The effective date of this bill will be September 1, 1973, and renumbering the emergency clause section to be known as Section 6.

The Committee Amendment was read and was adopted.

On motion of Senator Bernal and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 1024 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1024 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Grover	Sherman
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Nays—4

Aikin	Moore
Creighton	Snelson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Concurrent Resolution 137
With House Amendment**

Senator Watson called S. C. R. No. 137 from the President's table for consideration of the House amendment to the resolution.

The President laid the resolution and the following House amendment before the Senate:

Amendment No. 1

Amend S. C. R. No. 137 by adding the following before the last resolving clause:

"Resolved, That the bill be stamped for certification by the Comptroller under Art. 3, Sec. 49A of the Constitution; and, be it further"

The House amendment was read.

Senator Watson moved that the Senate concur in the House amendment.

The motion prevailed.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 30, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 993, A bill to be entitled "An Act authorizing the sale or lease of property rights by the Board of Trustees of certain independent school districts in relation to existing or proposed independent school district improvements; etc.; and declaring an emergency."

S. B. No. 1021, A bill to be entitled "An Act relating to the use of certain State-owned museum buildings located on certain college or university campuses, the employment or discharge of certain museum employees, and the administering and audit of the expenditure of funds appropriated for construction, equipment, operation, maintenance, or improvement of certain museums; providing severability; and declaring an emergency."

(With amendments.)

S. B. No. 1028, A bill to be entitled "An Act relating to the establishment, operation, and maintenance of a medical school under contract with the United States Government; and declaring an emergency."

The House has adopted the Conference Committee Report on House Bill No. 1424 by a vote of 133 Ayes, 6 Noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Memorial Resolution

S. R. No. 1454—By Senator Schwartz: Memorial resolution for Mrs. Arthur Alpert.

Welcome and Congratulatory Resolutions

S. R. No. 1447—By Senator Schwartz: Extending welcome to Mrs. R. J. Vaiani, et al.

S. R. No. 1448—By Senator Watson: Extending welcome to George Vowell, et al.

S. R. No. 1450—By Senator Watson: Extending welcome to Robert Mann.

S. R. No. 1451—By Senator Harrington: Extending welcome to Mr. and Mrs. O. D. LaBove, et al.

S. R. No. 1456—By Senator Watson: Extending welcome to Jack K. Dillard, et al.

S. R. No. 1457—By Senator Watson: Extending welcome to Mr. and Mrs. Bert Scheinberry.

S. R. No. 1459—By Senator Wilson: Extending congratulations to Wyatt Bell on his selection as East Texan of the Month for May 1971.

S. R. No. 1460—By Senator Schwartz: Extending welcome to David Slider.

S. R. No. 1462—By Senator Aikin: Extending welcome to Mrs. Ina Stubblefield.

Recess

On motion of Senator Aikin the Senate at 10:55 o'clock p.m. took recess until 10:00 o'clock a.m. tomorrow.

APPENDIX**Sent to Governor**

May 29, 1971

S. B. No. 1008

S. B. No. 357

S. B. No. 307

S. B. No. 755

S. B. No. 362

S. B. No. 246

S. B. No. 520

S. B. No. 748

S. B. No. 906

S. B. No. 265

S. B. No. 580

S. C. R. No. 9

S. C. R. No. 127

S. B. No. 237

S. B. No. 572

S. C. R. No. 130

S. B. No. 837

S. C. R. No. 128

May 30, 1971

S. B. No. 1011

S. B. No. 885

S. B. No. 515

S. B. No. 989

S. C. R. No. 124

S. B. No. 396 (again sent)

S. B. No. 768

Sent to Comptroller

May 30, 1971

S. B. No. 841

SEVENTY-EIGHTH DAY

(Continued)

Monday, May 31, 1971

After Recess

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

Reverend W. H. Townsend, Chaplain offered the invocation.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 31, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 104, Granting Doyle H. Gaither, Charles C. Gaither, and Doyle H. Gaither, Trustee, Independent Utilities Corporation, and Domecello, Inc., permission to sue the State of Texas and the State Highway Department of the State of Texas.

S. B. No. 194, A bill to be entitled "An Act re-enacting and amending Statutes, providing definitions for the terms 'hazardous traffic law violations,' 'cancellation of driver's license,' 'license authorized to operate a motor vehicle,' 'suspension of driver's license' and 'conviction'; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 473, A bill to be entitled "An Act amending Sections 1.03(10), 3.06, 6.18, 7.03 and 8.10 of Chapter 113, Acts of the 58th Legislature, 1963, the Texas Savings and Loan Act (Article 852a, Vernon's Texas Civil Statutes); and declaring an emergency."

(With amendments.)

S. B. No. 801, A bill to be entitled "An Act relating to the duties of the Advisory Council for Children with Learning Disabilities; extending the Council's existence; etc.; and declaring an emergency."

S. B. No. 908, A bill to be entitled "An Act relating to the granting of tuition scholarship to nursing students at certain state-supported institutions of higher education; and declaring an emergency."

S. B. No. 931, A bill to be entitled "An Act relating to the creation, powers, and duties of the Texas Rural Industrial Development Authority to administer a program providing for the establishment of industrial development projects in rural areas; and declaring an emergency."

S. B. No. 990, A bill to be entitled "An Act authorizing the Central Education Agency to recognize as 'classroom teachers' for utilization of classroom teacher allotment purposes of the Foundation Program Act, teacher certificated personnel employed or assigned by school districts in administration involving pupil attendance and/or registrar responsibilities; and declaring an emergency."

S. B. No. 1020, A bill to be entitled "An Act relating to the creation, administration, powers and duties, and financing of the Walker County Hospital District of Walker County, Texas; and declaring an emergency."

(With amendment.)

S. B. No. 1032, A bill to be entitled "An Act providing for the authorization and issuance by any city or town which has by duly adopted resolution, order or ordinance approved or approved in principle a New Community plan in connection with a New Community Development project under the Federal Urban Growth and New Community Development Act of 1970, of Certificates of Indebtedness for the purposes of acquiring, purchasing,